



FAA CFR 14 PART 139

AWP - FIRST ANNUAL AIRPORTS
CONFERENCE, ANAHEIM, CA

JUNE 1-3, 2005

ELIZABETH MATARESE, ACSS,

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NATIONAL HEADQUARTERS

CERTIFICATION OF AIRPORTS

- ◆ ORIGINALLY: MORE THAN 30
- ◆ CURRENTLY: 10-30 AND MORE THAN 30
- ◆ FOUR CLASSES OF AIRPORTS
 - ◆ SCHEDULED LARGE
 - ◆ UNSCHEDULED LARGE, SCHEDULED SMALL
 - ◆ SCHEDULED SMALL (except Alaska)
 - ◆ UNSCHEDULED LARGE
- ◆ CLASS I ACMs SUBMITTED DEC. 9 '04
- ◆ CLASSES II, III, AND IV DUE JUNE 9 '05

CERTIFICATIONCONTINUED

- ◆ CLASS I AIRPORTS DELIVERED
 - AUGUST 31st DEADLINE FOR APPROVAL OF THE MANUALS (Class I only)
- ◆ MANY REGIONS REPORTING MULTIPLE ITERATIONS NECESSARY PRIOR APPROVAL
- ◆ GUIDANCE FOR WRITING ACM
 - WEBSITE, AC, REGIONAL ACSIs

CERTIFICATIONCONTINUED

◆ CURRENTLY:

- 344 CLASS I AIRPORTS
- 79 CLASS II AIRPORTS
- 44 CLASS III AIRPORTS
- 101 CLASS IV AIRPORTS

◆ CURRENTLY IN AWP:

- 49 CLASS I AIRPORTS
- 7 CLASS II AIRPORTS
- 11 CLASS III AIRPORTS
- 4 CLASS IV AIRPORTS

CERTIFICATIONCONTINUED

- ◆ SIMPLIFICATION OF THE REGULATION
3-YEAR EXEMPTION EXPIRATION, DRIVER
TRAINING (WITH EXCEPTIONS), ANNUAL
LIVE FIRE RECURRENT TRAINING

- ◆ POLICIES (INTERPRETATIONS AND
CLARIFICATIONS)

- “INACTIVE STATUS” AIRPORTS, GA AND
AIRLINE FUELING, V/PDs. WILDLIFE HAZARD
MANAGEMENT.

CERTIFICATIONCONTINUED

- ◆ GLOBAL NATURE OF AVIATION
REQUIRES STANDARDIZATION

- ◆ FAA EFFORT TO ACHIEVE
STANDARDIZATION

- MARKING, LIGHTING, SIGNS
- PAVEMENT CONDITION RATINGS
- SIMPLIFICATION OF REGULATION (e.g.,
personnel training, recordkeeping)

CERTIFICATIONCONTINUED



THE CLASS III AIRPORT

- IS A NEW CLASSIFICATION FOR AIRPORTS
- INVOLVES 10-30 SEATING CAPACITY AIRCRAFT
- HAS OPERATIONS ON A SCHEDULED BASIS



EXCEPT ALASKA (SPECIAL AND DIFFERENT)

CERTIFICATIONCONTINUED

- ◆ NEW AIRPORTS – 44 TOTAL
- ◆ AWP IS 3RD; ASW IS FIRST (13); ANM IS SECOND (12)
- ◆ ARFF REQUIREMENTS – MOST NOTABLE AREA OF DISCUSSION
 - CONGRESSIONAL INTENT
 - TO DATE NO EXEMPTIONS FILED
 - MANY ALTERNATIVES

CERTIFICATIONCONTINUED

◆ OTHER QUESTIONS!!!!

- SOME TRICKY,
- SOME PICKY,
- SOME STICKY!

◆ NO QUESTION LEFT BEHIND

- MONTHLY TELCONS WITH ACSIs
- EMAILs BETWEEN REGIONS AND HQs
- CONFERENCES/WORKSHOPS

CERTIFICATIONCONTINUED



THE TRICKY!

- A TIME PERIOD IS STATED UNDER 139.205 REQUIRING THE AIRPORT TO SUBMIT A DESIRED CHANGE 30 DAYS PRIOR TO THE EFFECTIVE DATE. IF NO ACTION IS TAKEN BY THE FAA TO EFFECT THE CHANGE, MAY THE AIRPORT INITIATE THE CHANGE ITSELF?
 - ◆ **NO!** AN AIRPORT SO DOING IS SUBJECT TO REGULATORY ACTION!
- MAY THE WIND CONE, TRAFFIC PATTERN INDICATOR (SEGMENTED CIRCLE WITH LANDING STRIP INDICATIONS) BE CONSIDERED "FIXED BY FUNCTION" AND REMAIN IN THE RUNWAY SAFETY AREA?
 - ◆ **NO!** ALSO SEE AC 150/5340-23B, *SUPPLEMENTAL WIND CONES*

CERTIFICATIONCONTINUED



THE TRICKY!

- A CLASS IV AIRPORT IS NOT REQUIRED TO HAVE A DRIVER TRAINING PROGRAM BUT THERE ARE MANY GROUND OPERATIONS AT THE AIRPORT, AND PEDESTRIANS HAVE SOME ACCESS TO AIRSIDE. SHOULD THE AIRPORT HAVE A PROGRAM THAT RESPONDS TO PART 139.329 OR .335?
- **PROBABLY!** THE ACSI HAS THE AUTHORITY TO REQUIRE AN AIRPORT TO DEVELOP AND IMPLEMENT A PROGRAM OR EFFORT "TO ENSURE THE SAFETY OF AIR TRANSPORTATION." THIS IS INTENDED TO PROTECT THE AIRPORT, THE AIR CARRIERS, AND THE PUBLIC INTEREST. THIS CITATION IS FOUND IN PART 139.107 (3). SEVERAL FACTORS ARE CONSIDERED IN MAKING THE DETERMINATION.

CERTIFICATIONCONTINUED



THE PICKY!

- DOES A JOINT-USE OR SHARED USE FACILITY HAVE TO DO ANYTHING IF THERE ARE CIVIL OPERATIONS?
- **YES!** FAA WILL MAKE DETERMINATIONS ON THE REQUIREMENT DETAILS ON A CASE-BY-CASE BASIS. HOWEVER, GENERALLY, THE ACM WILL ADDRESS THOSE PORTIONS OF MOVEMENT AREAS AND SAFETY AREAS THAT THE CIVIL AUTHORITY HAS CONTROL OVER. THE TRIGGERING ELEMENT IS THE EXTENT OF THE CIVIL AUTHORITY'S CONTROL AND MAINTENANCE RESPONSIBILITY FOR MOVEMENT AREA. IF THE CIVIL AUTHORITY IS CONFINED TO THE TERMINAL AND ADJACENT RAMP, THEN IT IS LIKELY THAT NO PART 139 AOC IS REQUIRED. BUT FAA WILL MAKE THE DETERMINATION!

CERTIFICATIONCONTINUED



CONTINUED....

- IN ADDITION, IF THE CIVIL AUTHORITY IS RESPONSIBLE FOR MOVEMENT OR SAFETY AREA, THEN FOR ANY OF THE ITEMS THAT RESPOND TO PART 139 REQUIREMENTS, WHICH THE MILITARY AUTHORITY ADDRESSES, IT IS ADVISABLE THAT LETTERS OF AGREEMENT BE EXECUTED. THESE ARE INCLUDED IN THE ACM; FAA WILL REVIEW THEM, TO ENSURE THAT THEY PROTECT THE CIVIL AUTHORITY AND ARE ACCURATE AND ADEQUATE. (EXAMPLES ARE WILDLIFE HAZARD MANAGEMENT, ARFF, SNOW REMOVAL....)

CERTIFICATIONCONTINUED

◆ THE STICKY!

- **ARE AIRPORT CERTIFICATE HOLDERS RESPONSIBLE FOR TRAINING NON-AIRPORT EMPLOYEES WHO PERFORM DUTIES IN THE MOVEMENT OR SAFETY AREA?**
- **DEPENDS!** PART 139.303 (c) TRAINING REQUIREMENTS DO NOT APPLY TO EMPLOYEES WHOSE DUTIES REQUIRE THEM TO BE IN THE MOVEMENT OR SAFETY AREAS BUT ARE **NOT** PERFORMING WORK REQUIRED UNDER PART 139. RARE!
- AN FAA EMPLOYEE IS USUALLY IN THE MOVEMENT OR SAFETY AREA TO PERFORM MAINTENANCE ON FAA-OWNED EQUIPMENT AND NOT ADDRESSED UNDER PART 139. SIMILARLY, CONSTRUCTION PERSONNEL IN THE MOVEMENT AND SAFETY AREAS ARE NOT ADDRESSED BY PART 139, **EXCEPT** THAT THE AIRPORT OPERATOR IS REQUIRED TO DEVELOP AND IMPLEMENT CONSTRUCTION SAFETY PROCEDURES AND TRAIN ANY OF THE AIRPORT OPERATIONS PERSONNEL WHO WOULD BE RESPONSIBLE FOR ESCORTING OR PERFORMING OTHER DUTIES AS PART OF THE CONSTRUCTION SAFETY PLAN.

CERTIFICATIONCONTINUED

◆ THE STICKY! (CONTINUED)

- EVEN THOUGH SOME INDIVIDUALS PERFORMING DUTIES IN THE MOVEMENT AND SAFETY AREAS DO NOT REQUIRE TRAINING UNDER PART 139.303 ©, THEY MAY REQUIRE TRAINING UNDER Part 139.329, *PEDESTRIANS AND GROUND VEHICLES*, TO ENSURE THAT THEY UNDERSTAND SAFETY PROCEDURES FOR ACCESSING AND MOVING WITHIN SUCH AREAS.
- ALSO....PART 139 HAS TRAINING REQUIREMENTS FOR INDIVIDUALS ASSOCIATED WITH INSPECTION AND EMERGENCY RESPONSE DUTIES. SEE PART 139.319,.321, AND .327.
- TRAINING REQUIRED UNDER PART 139.303: ANY NEW EMPLOYEE MUST RECEIVE INITIAL TRAINING, STARTING JANUARY 2005; EXISTING EMPLOYEES MUST RECEIVE RECURRRENT TRAINING BY JANUARY 2006.



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REGIONAL FAA OFFICES CAN FIELD QUESTIONS THAT ARE THEN SUBMITTED TO THE TELCONS. YOU ARE INVITED TO SUBMIT QUESTIONS REGARDING PART 139 THROUGH THE ACSIs. REMEMBER!! THE WEBSITE ALSO PROVIDES CLARIFICATIONS, THE CERTALERTS, AND HELPFUL ADVICE IN MEETING AND COMPLYING WITH PART 139.

IT HAS BEEN MY PLEASURE TO BRIEF YOU TODAY!



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